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Attorneys for Defendant
ARAMARK Sports and Entertainment
Services, LLC

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

BRIAN MARTIN,)
)
Plaintiff,)
)
v.)
)
MCKINLEY CHALET RESORT, LLC)
and ARAMARK SPORTS AND)
ENTERTAINMENT SERVICES LLC,)
Defendants.)

Case No. 3:12-cv-00188-JWS

NOTICE OF REMOVAL

TO: The United States District Court
For the District of Alaska

1. On or about August 20, 2012, Plaintiff filed a Complaint in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, *Brian Martin v. McKinley Chalet Resort, LLC and Aramark Sports and Entertainment Services, LLC*, and that action was assigned Case No. 3AN-12-9249 CI. Plaintiff seeks damages against the Defendants under

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the theory of negligence. Plaintiff also makes a claim for punitive damages.

2. Defendant, ARAMARK Sports and Entertainment Services, LLC, hereby files this Notice of Removal to remove this action to the United States District Court for the District of Alaska at Anchorage, pursuant to 28 U.S.C. § 1446.

3. In compliance with 28 U.S.C. § 1446(a), a copy of all pleadings served upon Defendant in the Superior Court action are attached hereto with Defendant's Notice of Filing to the Court.

4. Defendant has filed a copy of this Notice with the Clerk of the Superior Court, Third Judicial District at Anchorage, and said action has thereby been removed from the Superior Court to the United States District Court. See attached Exhibit A ("Notice to Superior Court of Removal to U.S. District Court").

5. Pursuant to 28 U.S.C. § 1446(d), Defendant has also filed and served upon Plaintiff a Notice of Removal. See attached Exhibit B.

6. The grounds for removal are as follows: The amount in controversy exceeds the sum of \$75,000. There exists a diversity of citizenship, 28 U.S.C. § 1332(a)(1). Plaintiff

is an Alaskan resident¹; Defendant, ARAMARK Sports and Entertainment LLC is a Delaware limited liability company doing business in Alaska with its principal place of business in Philadelphia, PA.²

7. Plaintiff has also named McKinley Chalet Resort, LLC as a Defendant in this action. However, the McKinley Chalet Resort is not a separate legal entity capable of being named in this suit. The McKinley Chalet Resort is the name of the lodge/hotel operated by ARAMARK Sports & Entertainment LLC in Denali National Park corridor. Accordingly, the caption for this matter should be amended to reflect the named defendant as ARAMARK Sports & Entertainment LLC.

8. ARAMARK Sports & Entertainment LLC is the proper entity to be named in this lawsuit and any potential judgment rendered in favor of Plaintiff based on the allegations contained in the Complaint would be satisfied by ARAMARK Sports & Entertainment LLC.

9. This removal is being filed within thirty (30) days after service of process. Suit was filed by Plaintiff in Alaska Superior Court, Third Judicial District at Anchorage,

¹ See Plaintiff's Complaint, ¶1.

² See attached Exhibit C (copy of Corporate Information from Division of Corporation, Business and Professional Licensing).

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on or about August 20, 2012. Defendant was served on or about August 22, 2012.³

Defendant reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, ARAMARK Sports and Entertainment Services, LLC, hereby removes the action now pending against it in the Superior Court for the State of Alaska at Anchorage to this Court.

Dated this 11th day of September, 2012 at Anchorage, Alaska.

LANDYE BENNETT BLUMSTEIN LLP
Attorneys for Defendant ARAMARK
Sports and Entertainment Services,
LLC

s/Adolf V. Zeman
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Certificate of Service

On September 11, 2012 a true and correct copy of the foregoing document was served by U.S. mail and electronically on:

Thomas S. Gingras
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Anchorage, AK 99501
(thomas.gingras@egpalaska.com)

/s/Adolf V. Zeman
Adolf V. Zeman

³ See attached Exhibit D (Service of Process Transmittal document).

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